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TO RUEHC/SECSTATE WASHDC IMMEDIATE 4611

INFO RUEHXK/ARAB ISRAELI COLLECTIVE IMMEDIATE

RUEHZL/EUROPEAN POLITICAL COLLECTIVE IMMEDIATE

RUEHGG/UN SECURITY COUNCIL COLLECTIVE IMMEDIATE

RUEHOT/AMEMBASSY OTTAWA IMMEDIATE 1058

RUEHKO/AMEMBASSY TOKYO IMMEDIATE 8503

C O N F I D E N T I A L SECTION 01 OF 02 USUN NEW YORK 000629

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TAGS: PREL PTER UNSC SY LE

SUBJECT: LEBANON TRIBUNAL: MANAGEMENT COMMITTEE CONTINUES TO DISCUSS STAFFING

REF: A. USUN 581

- IB. USUN/IO EMAIL (WILCOX/MORRISON)-07/02/08
- IC. IO/USUN EMAIL (MORRISON/WILCOX)-06/25/08
- ID. USUN 551
- IE. USUN/IO EMAIL (WILCOX/MORRISON)-06/23/08
- IF. USUN/IO EMAIL (WILCOX/REINEMEYER)-06/18/08
- IG. USUN 468
- IH. USUN 384
- II. USUN/USUN/IO EMAIL (WILCOX/MORRISON)-07/15/08
- IJ. IO EMAIL (WILCOX/MORRISON)-07/11/08
- IK. IO/USUN EMAIL (MORRISON/WILCOX)-07/08/08
- IL. USUN 153
- IM. STATE 14281

Classified By: Minister Counselor Jeffrey de Laurentis, for reasons 1.4 (b) and (d).

I1. (C) BEGIN SUMMARY: As part of its work to finalize the first-year budget for the Special Tribunal for Lebanon (STL), the STL Management Committee continued to discuss staffing levels for the STL on July 3 and 8. STL Registrar Robin Vincent has requested 315 staff, at an estimated cost of USD 30 million for the STL's first year. Members' comments reflected several themes: the need to reach agreement soon so staff can be recruited, support for Prosecutor-Designate Daniel Bellemare's request for the flexibility he says he needs to assemble a top-flight prosecution team, a desire to avoid duplicative staffing in the Office of the Prosecutor (OTP) and the STL Registry, and questions concerning how the proposed STL staffing would compare to that of the other international tribunals. The Committee meets again on June 24 to finalize its discussions on the staffing proposal and accompanying budget. Once the Committee has done so, staff recruitment can begin. In other business, the Committee decided to accept Japan and Canada as new members, discussed outreach strategies to increase public awareness about the STL, and discussed the STL's application to join the UN Joint Staff Pension Fund. END SUMMARY.

Staffing Discussions Continue

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I2. (C) At its fifteenth and sixteenth meetings, the STL Management Committee continued to discuss the draft staffing proposal for the STL (refs A-G) and agreed to finalize decisions on it, and the accompanying budget, at the Committee's next meeting on July 24. The staffing request would account for approximately 58 percent of the STL's projected first-year budget of USD 52 million. Other estimated costs are USD 13.5 million for construction on the STL building (which the Management Committee approved in April; see ref H), and another USD 8 to 9 million for operational costs such as witness costs, travel, consultancies, and equipment. The proposal seeks nine staff for the judicial Chambers, 114 for the OTP, five for the Defence Office, and 187 for the Registry. STL Registrar

Vincent has advised the Committee that he plans to phase in personnel for the STL, bringing most on board after the UNIIIC's mandate expires on December 31.

¶3. (SBU) The Committee continued to concentrate on Bellemare's requests for the OTP, which have raised the most questions. (Note: Per refs B-D, Bellemare briefed the Committee on the proposal on June 19 and subsequently responded to written questions from the Committee. End Note.) Some Committee members still needed more time to consider STL Prosecutor-Designate Bellemare's responses to the Committee's questions concerning his request for OTP staffing and, for comparative purposes, requested the staffing tables for the UN International Independent Investigation Commission (UNIIIC), the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda, and the Special Court for Sierra Leone (SCSL). (Note: USUN subsequently emailed the SCSL and UNIIIC staffing tables to IO; see refs I and J. End Note.)

¶4. (C) While noting that Washington was still finalizing its views on the staffing proposal, USUN delivered points consistent with ref K, supporting Bellemare's call for flexibility but noting that once the STL is operational, Bellemare and the Management Committee should reassess the STL's staffing to determine whether any reconfigurations are needed. The French and the Lebanese pressed the Committee to move forward and advocated giving Bellemare the flexibility he is seeking to recruit the best team, including the experienced investigators and other staff members currently working for the UNIIIC. In that regard, both stressed that

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the Committee's decisions on staffing should ensure a smooth transition from the UNIIIC to the STL. The UK said London was still finalizing its views.

¶5. (C) Otherwise, Germany continued to express skepticism about some of Bellemare's requests, stressing that the STL's staffing should be as close as possible or comparable to the staffing of other international tribunals. The Netherlands emphasized the need to consider OTP's staffing in the context of the STL's other organs and reiterated its opposition to Bellemare's request for a Security Coordination Officer within the OTP. Since the Dutch will be handling all aspects of the STL's external security in the Netherlands, the Dutch said they must have only one point of contact in the STL, who should be the head of the Registry's Security Section. The Dutch expressed concern that the proposed OTP Security Coordination Officer might issue conflicting threat assessments from the Registry's Chief of Security. They also recommended that the Chief of Security in the Registry be upgraded from a P-4 to a P-5. At the Chairman's request, the Dutch agreed that their security officials would contact Vincent to discuss Bellemare's request.

¶6. (C) STL Registrar Vincent reacted to Committee members' comments, saying that while Bellemare's proposals reflect the experience he has gained as Commissioner of the UNIIIC, Vincent was influenced by the experience of other voluntarily funded tribunals. In response to members' statements of support for Bellemare's call for flexibility, Vincent said it was difficult to know what "flexibility" would mean in practice. In that vein, he said he hoped the Committee would adopt a consistent approach toward all parts of the STL, treating any subsequent requests for additional staffing from the President of the STL, the Head of the Defence Office, or the Registry in the whatever way the Committee has decided to treat the OTP. Vincent also agreed that the OTP should not have a dedicated Security Coordinator, noting that several other officers in the OTP could coordinate with the Security Section of the Registry.

¶7. (SBU) In concluding, UK Chairman Catherine Adams pressed members to finalize their views before the Committee's next

meeting on July 24. She recommended that if the Committee decided to request modifications in the staffing proposals, it should pass on general themes to Vincent and Bellemare rather than downgrading or eliminating specific posts. The Management Committee for the Special Court for Sierra Leone has followed a similar practice with respect to staffing and related budgetary proposals, she said.

Other Business

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¶8. (SBU) At USUN's request, the Committee also discussed and agreed on the need for greater publicity about STL-related milestones. Vincent said the STL would be better equipped to provide publicity once the staffing proposal is approved and he can recruit outreach staff. In the meantime, he said the liaison officer he is about to hire as a short-term consultant could handle outreach. USUN also suggested that the UN's Department of Public Information should continue to highlight the STL in the Secretary-General's daily press briefings. The Germans pointed to a handbook about the STL that the International Center for Transitional Justice (ICTJ) published and recommended that the Committee invite the ICTJ for a briefing. Vincent said he had provided ICTJ with input on its handbook and recommended that the Committee organize an outreach meeting in Beirut sometime after the STL is operational.

¶9. (SBU) The Committee also decided to accept Japan and Canada as new members. Both states have contributed at least USD 1 million to the STL and will be given the opportunity to join the understanding among the United States, Germany, the Netherlands, the UK, and France (refs L-M), under which participants commit to achieve consensus on all decisions before the Management Committee and vote accordingly.

¶10. (SBU) USUN will represent the Management Committee in a videoteleconference with the Board of the Joint Staff Pension Fund on July 17. The Board will be meeting to consider the STL's application to join the Fund.

Khalilzad